

09-16-04

RCE 3652
IFW

PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/087,400
Filing Date	March 1, 2002
First Named Inventor	Anthony C. Bonora
Art Unit	3652
Examiner Name	BRAHAN, THOMAS J
Attorney Docket Number	34741-773

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☒ Other Return Receipt Postcard

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 50-0639
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1,190.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Scott D. Sanford	Registration No. (Attorney/Agent)	51,170
Signature		Date	September 14, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Scott D. Sanford	Date	September 14, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/16/2004 EAREGAY1 00000038 10087400

770.00 DP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Anthony C. Bonora et al.

SC/Serial No.: 10/087,400

Confirm. No.: 6253

Filed: March 1, 2002

Title: WAFER ENGINE

PATENT APPLICATION

Art Unit: 3652

Examiner: Brahan, Thomas J.

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV 328492515 US

Date of Mailing: September 14, 2004

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Scott D. Sanford

Signature Date: September 14, 2004

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

Mail Stop **RCE**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request continued examination of the above-identified utility patent application. The subject patent application was filed on or after June 8, 1995 and this paper is being filed prior to the earliest of: (1) Payment of the issue fee, unless a petition under Sec. 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. 141, or the commencement of a civil action under 35 U.S.C. 145 or 146, unless the appeal or civil action is terminated. 37 C.F.R. §1.114(a).

Transmitted with this communication are the following:

- X An Amendment or Response.
- X A Petition for an Extension of Time under 37 C.F.R. §1.136.
- A Statement pursuant to 37 C.F.R. §1.27 to establish small entity status under 37 C.F.R. §1.9(f).
- An Information Disclosure Statement pursuant to 37 C.F.R. §1.56.

Attorney Docket No.: 34741-773

Express Mail No. EV 328492515 US

Previously submitted are the following:

_____ Consider the Amendment(s)/Response under 37 C.F.R. §1.16 previously filed on [date of mailing].

Other: _____

The fee associated with this communication has been calculated as shown below:

_____ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been claimed.

✓ A fee of \$770.00 is due pursuant to 37 C.F.R. §1.17(e) for the filing of this Request for Continued Examination.

✓ A fee for extension of time for response under 37 C.F.R. §1.136 filed within two month after the original time for response of \$420.00 is due.

_____ A fee of \$130.00 is due under to 37 C.F.R. §1.17(h) for filing a Request for Suspension of Action *for cause*. [37 C.F.R. §1.103(a)]

_____ Applicant(s) respectfully request a refund of this fee because, as more fully set forth in the Request for Suspension of Action, Applicant(s) submit that the cause of the suspension is the fault of the Patent and Trademark Office.

_____ A fee of \$130.00 is due under to 37 C.F.R. §1.17(i) for filing a Request for Suspension of Action *not* for cause. [37 C.F.R. §1.103(c)]

_____ A fee for addition of claims under 37 C.F.R. §1.16 is due as follows:

Claims Remaining After Amendment	Highest Previously Paid For		Number Extra	Rate	Small Entity/Other Than Small Entity	
Total					\$ 9.00	
Claims <u>9</u> -	<u>[20 or more]</u>	=	<u>0</u> *	X	\$18.00	= \$0
Independent					\$42.00	
Claims <u>2</u> -	<u>[3 or more]</u>	=	<u>0</u> *	X	\$84.00	= \$0
First Presentation of					\$140.00	
Multiple Dependent Claim(s) <u> </u>					\$280.00=	\$0

*If the difference is less than zero, enter "0".

Additional Fee = \$ 0

The total fee required with this communication is \$1,190.00 and is to be paid as follows:

_____ Please charge Deposit Account No. 50-0639 in the amount of \$1,190.00. A duplicate copy of this authorization is enclosed.

✓ A check in the amount of \$1,190.00 is enclosed.

✓ The Commissioner is hereby authorized to charge underpayment of any fees, including the following fees, associated with this communication or credit any overpayment to Deposit Account No. 50-0639. A duplicate copy of this authorization is enclosed.

✓ Any filing fees under 37 C.F.R. §1.16 for the presentation of additional claims.

✓ Any patent application processing fees under 37 C.F.R. §1.17 including any applicable fee for extension of time.

Respectfully submitted,

O'MELVENY & MYERS LLP

Date: 9.14.04

By: Scott D. Sanford
Scott D. Sanford, Reg. No. 51,170

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RESPONSE UNDER 37 C.F.R. §1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Anthony C. Bonora et al.

Application No.: 10/087,400

Confirm. No.: 6253

Filed: March 1, 2002

Title: Wafer Engine

PATENT APPLICATION

Art Unit: 3652

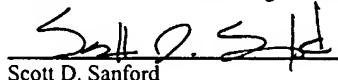
Examiner: Brahan, Thomas

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV 328492515 US

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Scott D. Sanford

Signature Date: September 14, 2004

RESPONSE C UNDER 37 C.F.R. § 1.116

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This RESPONSE C is in reply to the Advisory Action mailed July 14, 2004. No fee is due for the addition of any new claims. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.